

### **REMARKS**

This Response is being filed in response to the Office Action mailed from the U.S. Patent and Trademark Office on February 9, 2004, in which claims 1-4 were rejected and formal drawings were required. With this Response, Applicants submit formal drawings of FIGS. 1-4B and have addressed the rejections to claims 1-4. As such, Applicants respectfully request reconsideration and allowance of pending claims 1-4.

#### **Two Information Disclosure Statements**

Two Information Disclosure Statements were filed on March 24, 2004, and April 5, 2004. Entry of the two Information Disclosure Statements is respectfully requested.

The Office Action rejected claims 1-3 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Publication 2002/0183957 to Croix et al. (hereinafter "Croix"). The Office Action also rejected claim 4 under 35 U.S.C. 103(a) as being unpatentable over Croix.

The Office Action required Applicants provide formal drawings stating:

Applicants are required to furnish the formal drawings in response this office action. No new matter may be introduced in the required drawing. Failure to timely submit a drawing will result in ABANDONMENT of the application.

Filed with this Response is Transmittal Of Formal Drawings including formal drawings of FIGS. 1-4B on 6 separate sheets.

#### **Anticipation Rejection Under 35 U.S.C. 102(e)**

The Office Action rejected claims 1-3 under 35 U.S.C. 102(e) as being anticipated by the Croix et al. patent publication. The Office Action stated on pages 2 and 3:

As to claim 1, Croix discloses an analogous system that has an application program for electronic design automation (page 3, col. 1, paragraph 0033). Croix, in particular discloses the claimed "a library of format readers for reading at least one intelligent design saved in a specific format" as a shared object library having a generic code (page 3, col. 1, paragraph 0033); "a format verifier linked to the format readers for matching the intelligent design to one of the format readers capable of reading the specific format" page 3, col. 1, paragraph 0033); import application programming interface linked to the format verifier for importing the

intelligent design in the application format for viewing the intelligent design” an application program having one or more macros or rules (page 3, col. 1, paragraph 0033); and “memory resident data model, linked to the import application programming interface, is a database for storing the properties and functional characteristics of the intelligent design” (page 3, col. 1, paragraph 0033, 0034).

As to claim 2, Croix discloses the claimed “a query application programming interface, linked to the memory resident data (page 3, col. 2, paragraph 0040); model for searching for at least one element in the memory resident data model” (page 3, col. 2, paragraph 0040-004 1); “user interface, linked to the query application programming interface for interactively accessing the memory resident of the interface” (page 3, col. 1, paragraph 0034, 0037).

As to claim 3, Croix discloses the claimed “comprising at least one format writer linked to the query application programming interface for scripting within the invention thereby allowing the user to control local configuration and behavior of the user interface” (page 4, col. 1, paragraph 0045).

Applicants respectfully traverse this rejection.

To anticipate a claim, the reference must teach every element of the claim. M.P.E.P. 2131. “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987); M.P.E.P. 2131. “The identical invention must be shown in as complete detail as is contained in the ... claim.” *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989); M.P.E.P. 2131.

Applicants’ claimed invention is an apparatus for viewing at least one intelligent design using at least one computer comprising a **library of format readers** for reading at least one intelligent design saved in a specific format, a **format verifier linked to the format readers**, an **import application-programming interface** linked to the format verified for importing the intelligent design and a **memory resident data model**. A format verifier matches the design to one of the format readers from a library of format readers, each format reader for a specific format. The design is imported in the application format of the user’s computer and a memory resident data model stores the properties and functional characteristics of the design. Thus, the apparatus of the present invention reads a design in any format, imports the design onto a computer having any application format, and then stores the design properties and function

characteristics of the design. Multiple users can view the design on multiple types of application formats, and the users can manipulate the design. Further, multiple users can view the design over the Internet. Once the design is imported, the user can markup, highlight, load annotation files, load overlay files or otherwise make changes and edits to the design. (See Applicants' Specification, pp. 17-18). The present invention allows different users to view a design on different operating systems and make changes and edits to the design and facilitate asynchronous collaboration with other users. (See Applicants' Specification, p. 17, paragraph 4.11).

In contrast to Applicants' claimed invention, Croix discloses a system and a method for rapid parameter passing between a program having a generic set of utilities or rules that are not related to a single application. Croix discloses "rapid parameter passing" as a means of limiting the amount of data that needs to be evaluated and exchanged between multiple applications. Croix is a query mechanism based on evaluation rules defined specifically to narrow down derivation and exchange only to the specific items of interest in order to drive a loose analysis process. (Croix; page 1, Col. 2, paragraph 0013). Croix discloses a dynamic data exchange between two active applications through a third application called a "loader." (Croix; page 3, Col. 1, paragraph 0034 and paragraph 0036).

Croix discloses three specific programs: Program 1 is an application; Program 2 is a loader; and Program 3 is a model. (Croix; Fig 1). Program 2 acts as a data "loader" between Program 1 (an application) and Program 3 (a data model). The "loader" can utilize different set of rules in order to derive different parameters from a same data set.

Croix discloses a shared library having a generic code where the library is specific to a first program:

A first program may be an application program for electronic design automation. A second program may be a **shared object library having a generic code for use with the first program**. Alternatively, the second program could be a dynamic link library. The second program may employ a plug-in for use with the first program. A third program may comprise a set of utilities as non-application specific shared objects; each non-application specific shared object having **one or more macros or rules for use with the first program**. Alternatively, the third program could be a plurality of non-application specific dynamic link libraries, each application specific dynamic link library having one or more macros or rules

for use with the first program. For example, the third program may be an active model having a generic set of utilities. The generic set of utilities can be readily shared by the programs through the use of the parameter block interface. (Croix; page 3, Col. 1, paragraph 0033) (Emphasis Added)

Additionally, the section of the Croix cited above refers to an application program having one or more macros or rules which are non-application specific for use with the first program (See Croix, page 3, col. 1, paragraph 0033). Croix does not disclose importing design data for viewing on another computer. Croix allows efficient parameter passing (after a model is loaded onto a computer), but does not function to allow for importing any design from one computer onto another computer, using any format and application. (See Croix, page 3, col. 1, paragraph 0033 and 0034).

As shown above, Croix does not disclose an apparatus for viewing at least one intelligent design using at least one computer recited in Applicants' claims. Croix does not disclose "a library of format readers for reading at least one intelligent design saved in a specific format" as recited in Applicant's independent claim 1. In contrast, Croix discloses a "shared object library having a generic code" referring to the definition of data model objects to be interrogated (Croix, page 3, col. 1, paragraph 0033). The Croix shared library does not include format readers that interpret those models.

In addition, Croix does not disclose an apparatus for importing design data for viewing on another computer, using any format and application. Croix does not disclose "a format verifier linked to the format readers for matching the intelligent design to one of the format readers capable of reading the specific format" as recited in Applicant's independent claim 1. In contrast, Croix discloses a library of sets of rules where each rule set is capable of producing different results from the exact same set of data. A particular set of rules is imposed based on the extraction needs rather than any file format specifics. (Croix, page 3, col. 1, paragraph 0033).

Further, Croix does not disclose "an import application programming interface linked to the format verifier for importing the intelligent design in the applicable format for viewing the intelligent design" or "a memory resident data model, linked to the import application-programming interface" as recited in Applicant's independent claim 1. In contrast, Croix discloses "an application program having one or more macros or rules" referring to a multiplicity

of data models in a multiplicity of dynamic link libraries where each data model is intended for different use. (Croix, page 3, col. 1, paragraph 0033).

For the reasons stated above, Croix does not anticipate or suggest the Applicants' claimed invention. As such, Applicants respectfully request reconsideration and allowance of pending claims 1-4.

### **Obviousness Rejections Under 35 U.S.C. 103(a)**

The Office Action also rejected claim 4 under 35 U.S.C. 103(a) as being unpatentable over the Croix. The Office Action states on page 4:

As to claim 4, Croix does not explicitly disclose the claimed "a collaborative network element, linked by at least one medium to the memory resident data model for using the apparatus across a global computer network". However, Croix discloses the use of providing an interface that communicates between the application program and data model via a loader, wherein the loader and the data model can each be, a shared object or a dynamic link library which utilizes as a software module being invoked and subsequently executed at runtime for the application program (page 3, col. 1, paragraph 0036-0037). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Croix's system, wherein the electronic design automation (EDA) provided therein (See Croix's fig. 4) would incorporate the use of a collaborative network element, linked by at least one medium to the memory resident data model for using the apparatus across a global computer network. The motivation being to derive information from the memory resident data model across the global computer network.

Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art." M.P.E.P. 2143.01. "The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art." *In re Kotzab*, 217 F.3d 1365, 1370, 55 U.S.P.Q.2d 1313, 1317 (Fed. Cir. 2000). See also *In re Fine*, 837 F.2d 1071, 5 U.S.P.Q.2d 1596 (Fed. Cir. 1988); *In re Jones*, 958 F.2d 347, 21 U.S.P.Q.2d 1941 (Fed. Cir. 1992); M.P.E.P. 2143.01.

The Office Action fails to establish a prima facie case of obviousness because there is no motivation to make the proposed modification to Croix and because Croix does not teach or suggest all of the claimed steps and limitations, even if modified. The Office Action states it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Croix's system to incorporate the use of a collaborative network element linked by at least one medium. Applicants respectfully traverse this rejection.

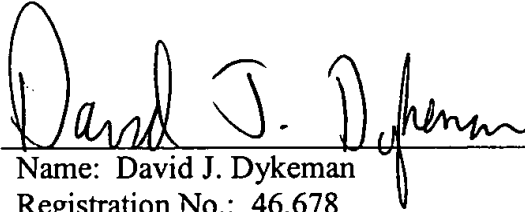
Even if the Croix system and method were modified in the manner suggested in the Office Action, the modified Croix system and method still does not teach or suggest all of the claimed limitations. As discussed above, the Croix system and method is not an apparatus for viewing an intelligent design using a computer message-based routing system. Croix does not disclose an apparatus for viewing at least one intelligent design using at least one computer comprising a **library of format readers** for reading at least one intelligent design saved in a specific format, a **format verifier linked to the format readers**, an **import application-programming interface** linked to the format verified for importing the intelligent design and a **memory resident data model**. Nothing in Croix, or any other prior art, suggests implementing an apparatus for the collaborative viewing of an intelligent design over a collaborative network using a computer. Thus, Applicants respectfully request withdrawal of the obviousness rejection and reconsideration and allowance of pending claims 1-4.

With this Response, Applicants have made an earnest effort to respond to all issues raised in the Office Action of February 9, 2004, and to place all claims presented in condition for allowance. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicants have argued herein that such amendment was made to distinguish over a particular reference or combination of references.

Applicants submit that all claims are allowable as written and respectfully request early favorable action by the Examiner. If the Examiner believes that a telephone conversation with Applicants' attorney would expedite prosecution of this application, the Examiner is cordially invited to call the undersigned attorney of record.

Respectfully submitted,

Date: July 9, 2004

A handwritten signature in black ink, appearing to read "David J. Dykeman", is written over a horizontal line.

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